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18 UNITED STATES DISTRICT COURT
19 EASTERN DISTRICT OF CALIFORNIA

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24 UNITED STATES OF AMERICA,
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26 Plaintiff,
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28 v.
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30 RAFAEL OMERO PLATA GUERRERO,
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32 Defendant.

33 Case No: 1:24-CR-00246-KES-BAM

34 STIPULATION TO CONTINUE STATUS
35 CONFERENCE AND EXCLUDE TIME UNDER
36 SPEEDY TRIAL ACT; AND ORDER

37
38 THE PARTIES HEREBY STIPULATE, through their respective attorneys of record, Assistant
39 United States Attorney Brittany M. Gunter, counsel for the government, and Reed Grantham, counsel
40 for Rafael Omero Plata Guerrero (“the defendant”), that this action’s **Wednesday, March 12, 2025**,
41 **status conference be continued to Wednesday, June 11, 2025, at 1:00 p.m.** The parties likewise ask
42 the court to endorse this stipulation by way of formal order.

43 The parties base this stipulation on good cause, as follows:

44 1. The grand jury returned an indictment regarding this matter on October 10, 2024. ECF 9.

45 The government prepared and delivered an initial set of discovery to defense counsel within
46 the time limits set forth by the Local Rules.

2. The government provided the defense with supplemental discovery on October 7 and October 21, 2024. The defense is and has been reviewing discovery thus far provided.
3. The government followed up with law enforcement to determine the extent supplemental discovery exists. Final reports are pending from the forensic examiner. The government will produce these reports to defense as soon as they are completed. If the government identifies additional information that should be produced as supplemental discovery, the government will promptly produce it to defense counsel in accord with Rule 16.
4. As defense counsel completes his analysis of the discovery produced in this case, counsel for the government will work with the defense and the HSI Bakersfield office to ensure that the defense is able to also timely review, upon its request, any electronic evidence in this case in accord with relevant provisions of the Adam Walsh Act.
5. Defense counsel requires more time to complete his review of the discovery, complete any additional investigation, discuss the case with the defendant, and consult with experts. Defense counsel intends to set up a time to review the electronic evidence in this case and needs additional time to do so.
6. By the time of the continued status conference and as all discovery is timely reviewed, the parties further intend to explore the extent this case can be resolved prior to trial.
7. Defense counsel believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
8. The government does not object to the continuance.
9. The parties therefore stipulate that the period of time from March 12, 2025, through June 11, 2025, is excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking

STIPULATION TO CONTINUE STATUS CONFERENCE AND
EXCLUDE TIME UNDER SPEEDY TRIAL ACT

such action outweigh the best interest of the public and the defendant in a speedy trial.

IT IS SO STIPULATED.

Dated: February 28, 2025

MICHELE BECKWITH
Acting United States Attorney

Dated: February 28, 2025

By: /s/ REED GRANTHAM
REED GRANTHAM
Attorney for Defendant
Rafael Omero Plata Guerrero

ORDER

IT IS ORDERED that the status conference currently set for March 12, 2025, at 1:00 pm is continued until **June 11, 2025, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.**

IT IS FURTHER ORDERED THAT the period of time from March 12, 2025, through June 11, 2025, is excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

Dated: **February 28, 2025**

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE